SENATE BILL No. 539

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-136.2; IC 12-15-2-26; P.L.23-2006, SECTION 1.

Synopsis: Medicaid income spend down pay-in option. Requires (instead of allows) the office of Medicaid policy and planning to apply to the federal government for an amendment to the state's Medicaid plan to allow a Medicaid recipient to elect to participate in the pay-in option in the state's Medicaid spend down program. Repeals the current noncode act on the same subject.

Effective: Upon passage.

Simpson

January 15, 2009, read first time and referred to Committee on Health and Provider Services.





First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

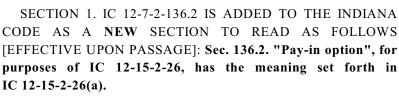
Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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SENATE BILL No. 539

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

Be it enacted by the General Assembly of the State of Indiana:



SECTION 2. IC 12-15-2-26 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 26. (a) As used in this section, "pay-in option" refers to the method allowed under 42 U.S.C. 1396b under which a Medicaid recipient may satisfy a state's income spend down requirements by paying to the state the spend down amount each month.

(b) Before June 1, 2009, the office shall apply to the United States Department of Health and Human Services to amend the state's Medicaid plan to allow a Medicaid recipient to elect to participate in the pay-in option in the state's Medicaid spend down program allowed under 42 U.S.C. 1396b.



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(d) If the office receives approval for the amendment under this ection and the governor receives the affidavit filed under bsection (c), the office shall implement the amendment. (e) The office may adopt rules under IC 4-22-2 necessary to aplement this section. SECTION 3. P.L.23-2006, SECTION 1 IS REPEALED FFECTIVE UPON PASSAGE]. SECTION 4. An emergency is declared for this act.
(e) The office may adopt rules under IC 4-22-2 necessary to plement this section. SECTION 3. P.L.23-2006, SECTION 1 IS REPEALED FFECTIVE UPON PASSAGE].
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